
SUBSTITUTE SENATE BILL 5239

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Tom, McAuliffe, Marr, Shin and Keiser)

READ FIRST TIME 02/05/07.

1 AN ACT Relating to a segmented mathematics alternative assessment;
2 and amending RCW 28A.655.061 and 28A.655.065.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.655.061 and 2006 c 115 s 4 are each amended to
5 read as follows:

6 (1) The high school assessment system shall include but need not be
7 limited to the Washington assessment of student learning, opportunities
8 for a student to retake the content areas of the assessment in which
9 the student was not successful, and if approved by the legislature
10 pursuant to subsection (10) of this section, one or more objective
11 alternative assessments for a student to demonstrate achievement of
12 state academic standards. The objective alternative assessments for
13 each content area shall be comparable in rigor to the skills and
14 knowledge that the student must demonstrate on the Washington
15 assessment of student learning for each content area.

16 (2) Subject to the conditions in this section, a certificate of
17 academic achievement shall be obtained by most students at about the
18 age of sixteen, and is evidence that the students have successfully met
19 the state standard in the content areas included in the certificate.

1 With the exception of students satisfying the provisions of RCW
2 28A.155.045, acquisition of the certificate is required for graduation
3 from a public high school but is not the only requirement for
4 graduation.

5 (3) Beginning with the graduating class of 2008, with the exception
6 of students satisfying the provisions of RCW 28A.155.045, a student who
7 meets the state standards on the reading, writing, and mathematics
8 content areas of the high school Washington assessment of student
9 learning shall earn a certificate of academic achievement. If a
10 student does not successfully meet the state standards in one or more
11 content areas required for the certificate of academic achievement,
12 then the student may retake the assessment in the content area up to
13 four times at no cost to the student. If the student successfully
14 meets the state standards on a retake of the assessment then the
15 student shall earn a certificate of academic achievement. Except as
16 provided in RCW 28A.655.065, once objective alternative assessments are
17 authorized pursuant to subsection (10) of this section, a student may
18 use the objective alternative assessments to demonstrate that the
19 student successfully meets the state standards for that content area if
20 the student has retaken the Washington assessment of student learning
21 at least once. If the student successfully meets the state standards
22 on the objective alternative assessments then the student shall earn a
23 certificate of academic achievement.

24 (4) Beginning with the graduating class of 2010, a student must
25 meet the state standards in science in addition to the other content
26 areas required under subsection (3) of this section on the Washington
27 assessment of student learning or the objective alternative assessments
28 in order to earn a certificate of academic achievement.

29 (5) The state board of education may not require the acquisition of
30 the certificate of academic achievement for students in home-based
31 instruction under chapter 28A.200 RCW, for students enrolled in private
32 schools under chapter 28A.195 RCW, or for students satisfying the
33 provisions of RCW 28A.155.045.

34 (6) A student may retain and use the highest result from each
35 successfully completed content area of the high school assessment.

36 (7) Beginning in 2006, school districts must make available to
37 students the following options:

1 (a) To retake the Washington assessment of student learning up to
2 four times in the content areas in which the student did not meet the
3 state standards if the student is enrolled in a public school; or

4 (b) To retake the Washington assessment of student learning up to
5 four times in the content areas in which the student did not meet the
6 state standards if the student is enrolled in a high school completion
7 program at a community or technical college. The superintendent of
8 public instruction and the state board for community and technical
9 colleges shall jointly identify means by which students in these
10 programs can be assessed.

11 (8) Students who achieve the standard in a content area of the high
12 school assessment but who wish to improve their results shall pay for
13 retaking the assessment, using a uniform cost determined by the
14 superintendent of public instruction.

15 (9) Subject to available funding, the superintendent shall pilot
16 opportunities for retaking the high school assessment beginning in the
17 2004-05 school year. Beginning no later than September 2006,
18 opportunities to retake the assessment at least twice a year shall be
19 available to each school district.

20 (10)(a) The office of the superintendent of public instruction
21 shall develop options for implementing objective alternative
22 assessments, which may include an appeals process, for students to
23 demonstrate achievement of the state academic standards. The objective
24 alternative assessments shall be comparable in rigor to the skills and
25 knowledge that the student must demonstrate on the Washington
26 assessment of student learning and be objective in its determination of
27 student achievement of the state standards. Before any objective
28 alternative assessments in addition to those authorized in RCW
29 28A.655.065 or (b) of this subsection are used by a student to
30 demonstrate that the student has met the state standards in a content
31 area required to obtain a certificate, the legislature shall formally
32 approve the use of any objective alternative assessments through the
33 omnibus appropriations act or by statute or concurrent resolution.

34 (b) A student's score on the mathematics portion of the preliminary
35 scholastic assessment test (PSAT), the scholastic assessment test
36 (SAT), or the American college test (ACT) may be used as an objective
37 alternative assessment under this section for demonstrating that a
38 student has met or exceeded the mathematics standards for the

1 certificate of academic achievement. The state board of education
2 shall identify the scores students must achieve on the mathematics
3 portion of the PSAT, SAT, or ACT to meet or exceed the state standard
4 for mathematics. The state board of education shall identify the first
5 scores by December 1, 2006, and thereafter may increase but not
6 decrease the scores required for students to meet or exceed the state
7 standard for mathematics.

8 (11) By December 15, 2004, the house of representatives and senate
9 education committees shall obtain information and conclusions from
10 recognized, independent, national assessment experts regarding the
11 validity and reliability of the high school Washington assessment of
12 student learning for making individual student high school graduation
13 determinations.

14 (12) To help assure continued progress in academic achievement as
15 a foundation for high school graduation and to assure that students are
16 on track for high school graduation, each school district shall prepare
17 plans for students as provided in this subsection (12).

18 (a) Student learning plans are required for eighth through twelfth
19 grade students who were not successful on any or all of the content
20 areas of the Washington assessment for student learning during the
21 previous school year. The plan shall include the courses,
22 competencies, and other steps needed to be taken by the student to meet
23 state academic standards and stay on track for graduation. This
24 requirement shall be phased in as follows:

25 (i) Beginning no later than the 2004-05 school year ninth grade
26 students as described in this subsection (12)(a) shall have a plan.

27 (ii) Beginning no later than the 2005-06 school year and every year
28 thereafter eighth grade students as described in this subsection
29 (12)(a) shall have a plan.

30 (iii) The parent or guardian shall be notified, preferably through
31 a parent conference, of the student's results on the Washington
32 assessment of student learning, actions the school intends to take to
33 improve the student's skills in any content area in which the student
34 was unsuccessful, strategies to help them improve their student's
35 skills, and the content of the student's plan.

36 (iv) Progress made on the student plan shall be reported to the
37 student's parents or guardian at least annually and adjustments to the
38 plan made as necessary.

1 (b) Beginning with the 2005-06 school year and every year
2 thereafter, all fifth grade students who were not successful in one or
3 more of the content areas of the fourth grade Washington assessment of
4 student learning shall have a student learning plan.

5 (i) The parent or guardian of a student described in this
6 subsection (12)(b) shall be notified, preferably through a parent
7 conference, of the student's results on the Washington assessment of
8 student learning, actions the school intends to take to improve the
9 student's skills in any content area in which the student was
10 unsuccessful, and provide strategies to help them improve their
11 student's skills.

12 (ii) Progress made on the student plan shall be reported to the
13 student's parents or guardian at least annually and adjustments to the
14 plan made as necessary.

15 **Sec. 2.** RCW 28A.655.065 and 2006 c 115 s 1 are each amended to
16 read as follows:

17 (1) The legislature has made a commitment to rigorous academic
18 standards for receipt of a high school diploma. The primary way that
19 students will demonstrate that they meet the standards in reading,
20 writing, mathematics, and science is through the Washington assessment
21 of student learning. Only objective assessments that are comparable in
22 rigor to the state assessment are authorized as an alternative
23 assessment. Before seeking an alternative assessment, the legislature
24 expects students to make a genuine effort to meet state standards,
25 through retaking the Washington assessment of student learning except
26 as provided in subsection (7) of this section; regular and consistent
27 attendance at school; and participation in extended learning and other
28 assistance programs.

29 (2) Under RCW 28A.655.061, beginning in the 2006-07 school year,
30 the superintendent of public instruction shall implement objective
31 alternative assessment methods as provided in this section for students
32 to demonstrate achievement of the state standards in content areas in
33 which the student has not yet met the standard on the high school
34 Washington assessment of student learning. A student may access an
35 alternative if the student meets applicable eligibility criteria in RCW
36 28A.655.061 and other eligibility criteria established by the
37 superintendent of public instruction, including but not limited to

1 attendance criteria and participation in the remediation or
2 supplemental instruction contained in the student learning plan
3 developed under RCW 28A.655.061. A school district may waive
4 attendance and/or remediation criteria for special, unavoidable
5 circumstances.

6 (3) For the purposes of this section, "applicant" means a student
7 seeking to use one of the alternative assessment methods in this
8 section.

9 (4) One alternative assessment method shall be a combination of the
10 applicant's grades in applicable courses and the applicant's highest
11 score on the high school Washington assessment of student learning, as
12 provided in this subsection. The superintendent of public instruction
13 shall determine which high school courses are applicable to the
14 alternative assessment method and shall issue guidelines to school
15 districts.

16 (a) Using guidelines prepared by the superintendent of public
17 instruction, a school district shall identify the group of students in
18 the same school as the applicant who took the same high school courses
19 as the applicant in the applicable content area. From the group of
20 students identified in this manner, the district shall select the
21 comparison cohort that shall be those students who met or slightly
22 exceeded the state standard on the Washington assessment of student
23 learning.

24 (b) The district shall compare the applicant's grades in high
25 school courses in the applicable content area to the grades of students
26 in the comparison cohort for the same high school courses. If the
27 applicant's grades are equal to or above the mean grades of the
28 comparison cohort, the applicant shall be deemed to have met the state
29 standard on the alternative assessment.

30 (c) An applicant may not use the alternative assessment under this
31 subsection (4) if there are fewer than six students in the comparison
32 cohort.

33 (5) The superintendent of public instruction shall develop an
34 alternative assessment method that shall be an evaluation of a
35 collection of work samples prepared and submitted by the applicant, as
36 provided in this subsection and, for career and technical applicants,
37 the additional requirements of subsection (6) of this section.

1 (a) The superintendent of public instruction shall develop
2 guidelines for the types and number of work samples in each content
3 area that may be submitted as a collection of evidence that the
4 applicant has met the state standard in that content area. Work
5 samples may be collected from academic, career and technical, or
6 remedial courses and may include performance tasks as well as written
7 products. The superintendent shall submit the guidelines for approval
8 by the state board of education.

9 (b) The superintendent shall develop protocols for submission of
10 the collection of work samples that include affidavits from the
11 applicant's teachers and school district that the samples are the work
12 of the applicant and a requirement that a portion of the samples be
13 prepared under the direct supervision of a classroom teacher. The
14 superintendent shall submit the protocols for approval by the state
15 board of education.

16 (c) The superintendent shall develop uniform scoring criteria for
17 evaluating the collection of work samples and submit the scoring
18 criteria for approval by the state board of education. Collections
19 shall be scored at the state level or regionally by a panel of
20 educators selected and trained by the superintendent to ensure
21 objectivity, reliability, and rigor in the evaluation. An educator may
22 not score work samples submitted by applicants from the educator's
23 school district. If the panel awards an applicant's collection of work
24 samples the minimum required score, the applicant shall be deemed to
25 have met the state standard on the alternative assessment.

26 (d) Using an open and public process that includes consultation
27 with district superintendents, school principals, and other educators,
28 the state board of education shall consider the guidelines, protocols,
29 scoring criteria, and other information regarding the collection of
30 work samples submitted by the superintendent of public instruction.
31 The collection of work samples may be implemented as an alternative
32 assessment after the state board of education has approved the
33 guidelines, protocols, and scoring criteria and determined that the
34 collection of work samples: (i) Will meet professionally accepted
35 standards for a valid and reliable measure of the grade level
36 expectations and the essential academic learning requirements; and (ii)
37 is comparable to or exceeds the rigor of the skills and knowledge that
38 a student must demonstrate on the Washington assessment of student

1 learning in the applicable content area. The state board shall make an
2 approval decision and determination no later than December 1, 2006, and
3 thereafter may increase the required rigor of the collection of work
4 samples.

5 (e) By September of 2006, the superintendent of public instruction
6 shall develop informational materials for parents, teachers, and
7 students regarding the collection of work samples and the status of its
8 development as an alternative assessment method. The materials shall
9 provide specific guidance regarding the type and number of work samples
10 likely to be required, include examples of work that meets the state
11 learning standards, and describe the scoring criteria and process for
12 the collection. The materials shall also encourage students in the
13 graduating class of 2008 to begin creating a collection if they believe
14 they may seek to use the collection once it is implemented as an
15 alternative assessment.

16 (6)(a) For students enrolled in a career and technical education
17 program approved under RCW 28C.04.110, the superintendent of public
18 instruction shall develop additional guidelines for a collection of
19 work samples that evidences that the collection:

20 (i) Is relevant to the student's particular career and technical
21 program;

22 (ii) Focuses on the application of academic knowledge and skills
23 within the program;

24 (iii) Includes completed activities or projects where demonstration
25 of academic knowledge is inferred; and

26 (iv) Is related to the essential academic learning requirements and
27 state standards that students must meet to earn a certificate of
28 academic achievement or certificate of individual achievement, but also
29 represents the knowledge and skills that successful individuals in the
30 career and technical field of the approved program are expected to
31 possess.

32 (b) To meet the state standard on the alternative assessment under
33 this subsection (6), an applicant must also attain the state or
34 nationally recognized certificate or credential associated with the
35 approved career and technical program.

36 (c) The superintendent shall consult with community and technical
37 colleges, employers, the work force training and education coordinating
38 board, apprenticeship programs, and other regional and national experts

1 in career and technical education to create an appropriate collection
2 of work samples and other evidence of a career and technical student's
3 knowledge and skills on the state academic standards.

4 (7) The superintendent of public instruction shall implement an
5 alternative assessment option for mathematics that: Presents the
6 mathematics essential academic learnings in segments for assessment; is
7 comparable in content and rigor to the tenth grade mathematics
8 assessment when all segments are considered together; is reliable and
9 valid; and can be used to determine a student's academic performance
10 level. Students may access this segmented math assessment without
11 retaking the Washington assessment of student learning. The office of
12 the superintendent of public instruction shall create a cadre of
13 teachers who are trained to score the segmented math alternative
14 assessments or use electronic means to enable the school to receive the
15 scores within three weeks.

16 (8) The superintendent of public instruction shall study the
17 feasibility of using existing mathematics assessments in languages
18 other than English as an additional alternative assessment option. The
19 study shall include an estimation of the cost of translating the tenth
20 grade mathematics assessment into other languages and scoring the
21 assessments should they be implemented.

22 ~~((+8))~~ (9) The superintendent of public instruction shall
23 implement:

24 (a) By June 1, 2006, a process for students to appeal the score
25 they received on the high school assessments; and

26 (b) By January 1, 2007, guidelines and appeal processes for waiving
27 specific requirements in RCW 28A.655.061 pertaining to the certificate
28 of academic achievement and to the certificate of individual
29 achievement for students who: (i) Transfer to a Washington public
30 school in their junior or senior year with the intent of obtaining a
31 public high school diploma, or (ii) have special, unavoidable
32 circumstances.

33 ~~((+9))~~ (10) The superintendent of public instruction may adopt
34 rules to implement this section.

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